F.A. No. 350 of 2001
OLD NO-408 OF 89
Hon'ble B.C. Kandpal,J.
(setting Aside Abatement Application No. 13375 of 2006)
(Delay Condonation Application No. 13776 of 2006)
(Subtitution Application No. 1337 of 2006)
(Misc. Application No. 14122 of 2006)

Heard Sri Ashish Joshi, learned counsel for the applicant/respondent, Sri Rajendra Dobhal, learned counsel for the appellant on the misc. application and perused the affidavit filed in support thereto.

Sri Ashish Joshi, learned counsel for the respondent has invited my attention towards the decision dated 23.12.2004 of Zonal Credit Committee which is annexed as Annexure A-1 to the application filed by the respondent. The decision taken by the Committee shows that the Bank is not interested to contest the case further.

The respondent has thus moved an application for dismissing the First Appeal as infructuous, in view of the circumstance that the respondent - State Bank of India is not Interested to context the case further.

Learned counsel for the appellant has no objection to the application filed by the respondent .

In view of the aforesaid facts and circumstances of the case, the appeal is dismissed being infructuous.

Consequently, aforesaid application are disposed of .

The stay order, if any, stands vacated.

23.11.2006
ASWAL **(B.C. Kandpal,J.)**